

NEW YORK HERALD

BROADWAY AND ANN STREET.  
JAMES GORDON BENNETT,  
PROPRIETOR.

All business or news letter and telegraphic  
despatches must be addressed New York  
HERALD.

Volume XXXV.....No. 307

AMUSEMENTS THIS EVENING.

THEATRE GARDEN, Broadway.—ENGLISH OPERA.—  
THE BOHEMIAN GIRL.

GRAND OPERA HOUSE, corner of Eighth Avenue and  
23d St.—LA GRANDE DUCHESSE.

OLYMPIC THEATRE, Broadway.—THE PANTOMIME OF  
WILLIAM WINKLE.

WOODS' MUSIC HALL, Broadway, corner 23d St.—Perfor-  
mance every afternoon and evening.

BOWERY THEATRE, Bowery.—DUTY.—THE GAME-  
COCK OF THE WILDERNESS.

FIFTH AVENUE THEATRE, Twenty-fourth St.—MAN  
AND WIFE.

FOURTEENTH STREET THEATRE (Theatre Francaise).—  
ELIZABETH, QUEEN OF ENGLAND.

GLOBE THEATRE, 725 Broadway.—VARIETY ENTERTAIN-  
MENT.—STORY OF THE CARIBBEAN SEA.

WALLACK'S THEATRE, Broadway and 13th street.—  
THE RIVAL.

NEW YORK STADT THEATRE, 45 Bowery.—GRAND  
GERMAN OPERA.—THE CARL AND THE PRINCE.

LINA RIVINS' THEATRE, 725 Broadway.—ALADDIN.—  
THE FLYING DUTCHMAN.

MRS. F. R. CONWAY'S PARK THEATRE, Brooklyn.—  
MAN AND WIFE.

BROOKLYN ACADEMY OF MUSIC.—MRS. NIELSON'S  
GRAND CONCERT.

TONY PASTOR'S OPERA HOUSE, 31 Bowery.—VARI-  
ETY ENTERTAINMENT.

THEATRE COMIQUE, 514 Broadway.—COMIC VOCAL-  
ISM, NEGRO ACTS, &c.

SAN FRANCISCO MINSTREL HALL, 58 Broadway.—  
NEGRO MINSTRELS, FARRER, MINSTRELS, &c.

KELLY & LEON'S MINSTRELS, No. 100 Broadway.—  
THE ONLY LEON—LA ROSE DE ST. FLORENCE, &c.

MOORE'S OPERA HOUSE, Brooklyn.—NEGRO MIN-  
STRELS, BURLINGAME, &c.

BROOKLYN OPERA HOUSE.—WELSH, NEGROES &  
WHITE MINSTRELS—COLORED TROUPE FORGOTTEN NOBLY.

NEW YORK CIRCUS, Fourteenth street.—HORSES IN  
THE RING, ACROBATS, &c.

AMERICAN INSTITUTE EXHIBITION.—EMPIRE  
RINK, Third Avenue and Sixty-third street.

NEW YORK MUSEUM OF ANATOMY, 63 Broadway.—  
SCIENCE AND ART.

DR. KAHN'S ANATOMICAL MUSEUM, 74 Broadway.—  
SCIENCE AND ART.

TRIPLE SHEET.

New York, Thursday, November 3, 1870.

CONTENTS OF TO-DAY'S HERALD.

PAGE.  
1—Advertisements.  
2—Advertisements.  
3—Herald Special Report from the Cap-  
ital: Disarming Prospects of the Believable  
City: Determination to defend the Place to the  
Last: Departure of the Emperor Eugenie from  
Paris: Napoleon's Prospects: The Constitutionality  
of the Act of Congress Sustained: Uncle Sam's  
Patrol: The United States Election Police—  
Trotting at Woodlawn Park: The Gallies in  
California: Almost a Centurian: The New  
Steamship Island: Another Addition to the  
Mediterranean Service: The Burglar Trap  
Case: The United League Club Tragedy—The  
Interrupted Duel.

4—Europe: Princess Louise of England and the  
Marquis of Lorne: Prussia's Peace Demands on  
France: Napoleon's Investments in Foreign  
Countries: Value of Modern Paris: Foreign  
Sketches of the City—The Political Campaign in  
Virginia and Alabama—Political Notes.

5—New York: The Constitutionality  
of the Act of Congress Sustained—Uncle Sam's  
Patrol: The United States Election Police—  
Trotting at Woodlawn Park: The Gallies in  
California: Almost a Centurian: The New  
Steamship Island: Another Addition to the  
Mediterranean Service: The Burglar Trap  
Case: The United League Club Tragedy—The  
Interrupted Duel.

6—Editorial: Leading Article, Our Impending  
Elections, General Grant, The Republicans and  
the Democracy—Amusement Announcements.

7—Editorial (Continued from Sixth Page)—Personal  
Intelligence—Telegraphic News from all Parts  
of the World—Home and Navy: Terms of Re-  
conciliation Between the King and the Pope—  
News from Washington—City Improvements—  
The Missing Steamship—Amusements—Busi-  
ness Notices.

8—The Revenue Raiders: The Fifth Ward of Brook-  
lyn Again Invaded—Educational Affairs—Fires  
in October—Fires in the City—American Resi-  
dents at Tungchow, China, Rescued by British  
Naval Vessels—Hebrew Benevolent Societies—  
News from St. Thomas—Command in a  
Court—Curious Case—Police Board—The Lin-  
coln Monument Fund—Brooklyn City News—  
Court Calendars for To-Day—Financial and  
Commercial Reports.

9—A Den of Infamy: Murder by a Chatham street  
Ghoul: Malpractice and Death: A Young Girl  
the Victim—First in the City—American Resi-  
dents at Tungchow, China, Rescued by British  
Naval Vessels—Hebrew Benevolent Societies—  
News from St. Thomas—Command in a  
Court—Curious Case—Police Board—The Lin-  
coln Monument Fund—Brooklyn City News—  
Court Calendars for To-Day—Financial and  
Commercial Reports.

10—War News (Continued from Third Page)—A Wall  
Street Foray: The City—American Resi-  
dents at Tungchow, China, Rescued by British  
Naval Vessels—Hebrew Benevolent Societies—  
News from St. Thomas—Command in a  
Court—Curious Case—Police Board—The Lin-  
coln Monument Fund—Brooklyn City News—  
Court Calendars for To-Day—Financial and  
Commercial Reports.

11—Advertisements.  
12—Advertisements.

POLITICAL ALMANAC.—Look out for all sorts  
of political hoaxes—about these days.

GOOD THING FOR LOUIS NAPOLEON.—It is  
stated that Louis Napoleon has ten million  
francs invested in mortgages on property in  
this city. We hope this is true, and that the  
ex-Emperor will come here to enjoy the fortune  
he has so judiciously saved for a rainy day.  
As he spends his money freely, New York is  
just the place for him.

THE WHISKEY RAIDS.—Supervisor Dutcher  
deserves great praise for his active raids yester-  
day on the illicit distilleries in the neighbor-  
hood of the Brooklyn Navy Yard. He was  
backed by two thousand United States troops,  
and for a time that portion of Brooklyn looked  
as if an armed enemy had invaded it. Twenty  
stillies were seized.

SCHOOL TRUSTEES.—Whatever partisan  
tactics may require in regard to other nomi-  
nations, the rein should be relaxed in regard to  
the nominees for School Trustees. For these  
places only high-minded, intelligent, hon-  
orable men, well known for their personal integ-  
rity, should be selected. For school directors,  
therefore, let the electors take the best men,  
without distinction of party.

THERE OUGHT CERTAINLY to be some power  
in the law to hang the villainous quack who  
procured the death of the young girl at his  
dispensary in Chatham street the other night.  
He has been before the courts on numerous  
occasions charged with crimes similar to the  
present one, but by some quibble he has  
always escaped. There is no reasonable  
doubt that his soul is stained with as infamous  
murder as Margaret Waters, the baby farmer,  
was ever guilty of.

FIRST CONVICTION UNDER THE CONGRES-  
SIONAL ELECTION LAW.—Judges Woodruff  
and Blatchford have decided that the Con-  
gressional Election Law is constitutional, and  
that the section under which Terence Quinn was  
indicted has to be enforced. This settles the  
whole question about the constitutionality  
of the law, and as that is the case violent op-  
position to it is futile and absurd. If the law be  
obnoxious to the charges alleged against it,  
let the proper course be taken to secure its  
repeal—that is by sending the right kind of  
men to Congress.

Our Impending Elections—General Grant,  
the Republicans and the Democracy.

Our State and city elections come off on  
Tuesday next, and from all the indications on  
every side the democracy, under the broad  
ensign of the "big Indians" of Tammany, will  
route the republicans, city and State, as the  
splendid army of MacMahon was routed near  
the Rhine and in the Vosges, infantry, artil-  
lery and mitrailleurs, cuirassiers, Turcos  
and all.

This is the prospect, and there has been no  
other prospect in the State since the desper-  
ately contested and decisive Presidential bat-  
tle of 1868, in which the democratic majority  
of the city overtopped by ten thousand on the  
President and twenty-seven thousand on the  
Governor the combined republican majorities  
of the rural districts. But Hoffman's sixty-  
nine thousand majority in this city of 1868 was  
so amazing and incredible to the incredulous  
republicans, and a blow so stunning and de-  
moralizing withal, that in 1869 they permitted  
the rural districts to go by default, and thus  
lost even the Assembly, they lost their foot-  
hold in the State. In losing this they lost their  
city commissions, for in our new City Charter,  
which followed, they were all turned over to  
the Wigwam—a transfer which gave the  
sachems the means and machinery for holding  
city and State.

But as a sort of equivalent for this surrender  
of their Rhine frontiers the republicans at  
Albany secured from "Boss Tweed" a new and  
more stringent registry law for this city, not-  
withstanding the abolition of registration over  
the rest of the State. The republican leaders  
appeared to be satisfied with their bargain, on  
the idea that their city commissions were so  
unpopular as to damage instead of strengthen  
their cause, and that a good registration law  
for the city, rigidly enforced, would be apt  
to turn the scale in the aggregate vote of the  
State, in cutting off from the city repeaters,  
ballot stuffers, perjurers and doctored returns  
to the extent of twenty or thirty thousand  
fraudulent votes. The republican managers,  
however, in order to enforce this new registra-  
tion law, deemed it necessary to call upon the  
strong arm of Congress to help them. They  
did so; and they secured a Congressional  
investigation of the returns of our city elec-  
tions of a year or two, and a report thereon of  
apparent and suspected frauds, which resulted  
in the passage of two new election laws by  
Congress, with which, in the proceedings for  
their enforcement here by the authorities of  
the United States, our readers have become  
familiar.

We have heretofore explained and sustained  
the provisions of these laws as properly  
designed to encourage honesty and to dis-  
countenance and punish frauds of all sorts in  
our political elections. We have also sus-  
tained the President in his policy of enforcing  
these laws, in view of his constitutional duty  
to take care that the laws are faithfully exe-  
cuted. It is apparent, however, that his  
subordinates have permitted their zeal in this  
business to outrun their discretion, that there  
has been too much of pomp and parade, and  
of the mustering of troops, and of warnings  
and threatenings of the armed intervention of  
the United States in this approaching city  
election—too much of all this in the general  
estimation of our citizens of all parties. The  
consequences are that, while there is a gen-  
eral disposition to recognize the laws in  
question, these very officious and offensive  
proceedings for their enforcement have op-  
erated to weaken the republicans and to  
strengthen the Tammany democracy. The  
republican journals upon this question have  
contributed much to this state of things  
by their foolish course of suggesting a military  
occupation of the polls on election day, as an  
imperative necessity, and as, perhaps, the  
only expedient for securing a fair election. In  
denouncing this military intervention as the  
application to New York of the military sys-  
tem adopted in the reconstruction of the rebel  
States the Tammany democracy have gained  
ground on the floating republicans, and the  
"Young Democracy" are heading for the Wig-  
wam.

There might, perhaps, have been a power-  
ful alliance effected among all the elements  
here opposed to the Tammany Democrats,  
but for this unfortunate and offensive idea of  
the intervention of the United States army  
for Tammany's overthrow. But how could the  
"Young Democracy," with all their pre-  
cious antecedents, and all their peculiar  
notions of the freedom of elections, be  
expected to rally around Marshal Sharpe and  
his deputies and his soldiers against repeaters?  
And as for the Tammany republicans, in being  
ejected from the Custom House and the Post  
Office, how could they be expected to support  
the ticket of General Grant and Collector  
Murphy? "Do men gather grapes from  
thorns, or figs from thistles?" Not often.  
Hence we find that while the Tammany  
republicans are too indignant to support  
Woodford, and too dainty and dignified to  
fraternize with such fellows as the "Young  
Democracy," these boys, while they do not  
believe a word of it, are so shocked with  
the slave trade affiliations charged against  
Woodford that they cannot associate with  
Marshal Sharpe. Consequently they fall into  
line with Tammany Hall, and if thereby they  
get a refreshing mouthful, being hungry, who  
can blame them? What is the first duty of  
man? His victuals and clothes.

It is apparent, then, that neither the new  
city registration law, nor the new election laws  
of Congress, nor Marshal Sharpe and his  
deputies, nor the bugaboo of the United States  
army, nor all these forces combined, will  
shake the ascendancy of the Tammany dem-  
ocracy in the city or the State, but will rather  
confirm the sachems in their power, and, in  
widening their influence, will strengthen their  
candidate for the Presidential succession. The  
case is clear as daylight. Call the  
Tammany chiefs an oligarchy if you please.  
What does it signify, when they have the  
disbursement of twenty-five, thirty, forty or  
fifty millions of money a year, and no one to  
make them afraid? What can a few Custom  
House clerks and beggarly postmasters do  
against this tremendous motive power and the  
very locomotive power that lies behind it?  
Nothing. What can General Grant himself  
do, short of some great stroke of national  
policy challenging the public admiration?  
Nothing. What, then, is there that can take  
from the Tammany democracy on Tuesday

next the Mayor of this city, the Governor of  
the State, or the Legislature? Nothing.

We are, however, glad to see that General  
Grant is beginning to take a lively interest in  
our State elections; for we see in this that a  
candidate for another term he recognizes the  
necessity of doing something to encourage,  
assist and consolidate his party. We are glad  
of it, because on this tack he will be apt to  
discover that something more than a careful  
administration of the Treasury and the faithful  
execution of the laws will be wanted for the  
next Presidential campaign, and that accord-  
ingly we may expect in due time some grand  
stroke in his foreign policy that will carry him  
again into the White House by acclamation.

The War—Paris Awaiting Bombardment.

The interest of the struggle in France now  
centres altogether about Paris. General Gar-  
ibaldi continues his arduous defence of the road  
to Lyons in the east, not only against the  
accepted enemy, but against the insidious  
effects of jealousy among the French leaders.  
The Army of the Loire, which is said to num-  
ber one hundred thousand men, remains inac-  
tive in the neighborhood of Tours. Gambetta  
continues to speak stirring words to the peo-  
ple, urging them to organize for the defence  
of the nation, when all they actually need for  
organization is the presence of a competent  
leader. Strangely conflicting rumors in regard  
to Metz are flying about among the credulous  
peasantry. The mysterious conferences of  
paroled marshals and the Emperor still take  
place at Cassel. Everywhere there is  
criminal indifference to, or actual intriguing  
against, the defence of France, except in  
Paris itself. There, in the city of moblets,  
frivolity, carelessness, in the city of all others  
famous for want of earnestness, there is an ex-  
hibition of stubborn resolution, of firmest de-  
termination to resist to the bitter end, that  
should be a standing reproach to the tardy  
people of the provinces.

The Prussians, freed from Metz, are closing  
up on the gay city. They have batteries  
erected at Meudon, Bellevue, Carrières, St.  
Denis, and other commanding points about  
the city, from which, with guns of such calibre  
as our army used in many instances during the  
war of the rebellion, they can send shells  
shrilling along the Rue d'Enfer or splintering  
through the walls of the Hotel des Invalides.  
Inside, the people, while impatiently waiting  
the success which the provinces should give  
them, are busy rendering their position as im-  
penetrable as possible. They claim to have  
plenty of provisions to last until January, and  
they are fortifying, casting additional cannon  
and making new enrolments into the National  
Guards continually. At least one theatre has  
reopened, playing generally for the benefit of  
the wounded, and the people, worn out with  
the tedium of the siege, attend joyfully. The  
theatre and a general justification act, no  
doubt, like a safety valve on the unchained  
feelings of the Parisians. With the impending  
doom of the bombardment hanging over them  
they display a courage, a firmness, a belief in  
the republic that is enough to shame the  
morning leaders of the government at Tours  
into casting themselves bodily in the breach  
and seeking in heroic deaths at the front some  
relief from the shame that ought to over-  
whelm them for their frivolous failure to  
relieve the city.

The New Election Law—Important De-  
cision.

In another column will be found the opinion  
of the United States Circuit Court of this dis-  
trict—Judges Woodruff and Blatchford on the  
bench—on the constitutionality of the new  
Election law of Congress, the question of  
which was raised upon the arraignment of  
Terence Quinn, indicted for fraudulent regis-  
tration in this city. The opinion was de-  
livered extemporaneously and with consid-  
erable emphasis by the learned Judge. The  
accused, it is charged, was not only a non-  
resident of the district where he registered,  
but was disqualified as a voter, inasmuch as  
he was a convicted and unpardoned felon. It  
was not, however, in actual defence of the  
accused in this case that the ablest counsel in  
the city were employed, nor was it to secure  
his conviction that that great constitutional  
lawyer, Mr. Caleb Cushing, was im-  
ported into the State and yesterday  
sworn in as Assistant District Attorney to  
take part in the controversy. It was a test  
question, upon which the constitutionality of  
the act itself was at issue. We gave in yester-  
day's HERALD the debates of counsel pro  
and con, and this morning we present to our  
readers the opinion of Judge Woodruff in  
extenso—Judge Blatchford concurring—sus-  
taining the constitutionality of the act of Con-  
gress which has given rise to the discussion,  
one of if not the most important that has en-  
gaged the attention of the federal courts in  
this district for many years past. Judge Wood-  
ruff, in dealing with the constitutional aspect  
of the case from the judicial standpoint, did not  
ignore the points raised by counsel and the  
authorities quoted by them in support of their  
theory, but has gone over the whole ground  
of argument, and in a most elaborate review of  
all that was advanced against and all that his  
own judicial research presented in favor, sus-  
tained by his opinion the constitutionality of  
the law. Of course it will still remain a vexed  
question outside the courts; but to the well  
disposed and all who desire information on a  
moored point the opinion of Judge Woodruff  
will, and deserves to be, an interesting study at  
this time. We therefore recommend its per-  
usal to all our readers, so that at least they may  
be able to argue understandingly whichever  
side of the question they may take.

HAIL COLUMBUS DELANO has fully entered  
upon his duties as Secretary of the Interior,  
vice Cox, beheaded. It is astonishing how  
much Mr. Delano's popularity, which was not  
very great before, has increased since his ele-  
vation.

A REPUBLICAN MEETING of mixed colors  
at Norfolk, Va., which was being addressed  
by Secretary Robeson, was broken up by a  
violent disturbance on Tuesday night, a  
number of persons being injured and one  
negro killed. Pistols were freely used. The  
very worst argument conservative Virginia  
can resort to now is the pistol. She needs the  
hon and the spade and the plough, and after  
her four years' unhappy use of firearms should  
be contented to avoid pistoling in politics  
altogether.

Special Telegrams from the Seat of War—  
The Situation in Metz and Paris.

The series of special telegrams from Europe  
which appears in our columns this morning  
supplies an ample, varied and quite interest-  
ing report of the condition of affairs existing  
in the siege lines near Paris, inside the city  
and at Metz. These despatches convey enough  
of exciting incident, some few very mel-  
ancholy facts, camp and regimental news, details  
of executive and legal progress, but nothing  
very fixed or definite as to the coming issue of  
the war—the when and the wherefore of this  
great struggle between France and Prussia.

From Metz we have special details of the  
surrender of the fortress. The trophies or  
spoils of war which fell into the hands of the  
Prussians were of the most valuable descrip-  
tion, particularly when in possession of a  
great war-making Power. The French pris-  
oners were numerous to a degree. Their case  
was regulated at once under the active,  
prompt and decisive rules of the Prussian War  
Office. Civilians had a code of law proclaimed  
for their future guidance. Engineers went  
into the fortress and neutralized the French  
mines; so, as will be seen from our  
advice, the vast stronghold of Metz has  
passed away. It will no longer frown  
on the people—no more terrorize  
over citizen France or free Germany. The  
terms of the treaty of capitulation agreed to  
at Metz are given *seriatim*. They go to con-  
firm our news of the consequences. Prussia  
takes good care that there shall be no French  
reaction in or around Metz—the grim reality  
of martial law standing forth to the view of the  
civilian inhabitants alongside of the army  
courtesies, if we may so term them, of the  
new treaty. Marshal Bazaine retired quietly.  
He had, it is alleged, need of precaution  
against personal danger at the hands of his own  
men. General Bourbaki has, it is said, re-  
signed his command in the French army.

Prussia remains irritated against England on  
account of her position as a neutral—the Berlin  
cabinet adhering, apparently, to the severe  
text of the Bernstorff circular to Earl Gran-  
ville, which was given *in extenso* in our col-  
umns a few days since. The Germans in  
Europe are angered against the English not  
only on their own account, but also by reason of  
the utterance of English remarks on the war  
feeling which has been exhibited by the Ger-  
mans in the United States.

Our special telegraph writers enumerate the  
names of many of the Americans who have  
arrived in London from Paris through the  
Prussian lines. It will be seen that the libera-  
tion of our countrymen from the besieged city  
was effected only after considerable trouble  
and by the firm exertion of Minister Wash-  
burne. The United States Ambassador was  
compelled, indeed, to bring M. Jules Favre  
squarely to the mark, as will be seen from our  
verbatim report of his address, before the  
Americans were liberated. Minister Wash-  
burne was brief, courteous and decided in his  
words, and consequently successful. It is to  
be hoped that his action will inaugurate a new  
era in the history of our foreign diplomacy.

The members of the government of the  
French republic, the men who smote down the  
power of the empire in "freedom's name," are  
not by any means tolerant towards the free  
expression of an independent journalism. This  
is evidenced by the action which was taken  
in the case of M. Portalis, editor of  
*La Verité*, who was arrested and submitted  
to magisterial interrogation for having  
published news of the proclamation of the  
"reds" at Lyons. The judicial course which  
was observed towards the journalist was of  
the most stringent kind, and almost according  
to the British routine in similar cases  
in the days of Junius; so that it  
appeared likely for a moment that he  
would be dealt with severely. At this  
crisis came forward the Chevalier Wikoff,  
of New York, who owned the authorship of  
the utterances in the mainly letter which we print.  
Wikoff had had the facts which Portalis  
published from members of the Cabinet.  
His publication fell "like a bombshell"  
in the ministerial ranks. M. Portalis was  
visited in secret and finally liberated by an  
executive which appears to have been com-  
pletely frightened by the simple issue of his  
journal. Straws thrown up indicate the course  
of the wind. So after the Portalis arrest  
exhibition we are not surprised at the conclud-  
ing portion of our special telegraph letter from  
Paris, which enumerates the particulars of  
a confused and unsuccessful sortie on the  
Prussians, an undecided and indecisive council  
of war, and the existence of a gloomy state  
of affairs generally among the defenders.

TWO JOURNALISTS IN THE FIELD.—George  
Wilkes, of the *Spirit of the Times*, has been  
nominated as the republican candidate for  
Congress from the Eighth district. James  
Brooks, of the *Express*, is the Tammany can-  
didate. In 1868 Mr. Brooks had between  
eleven and twelve thousand majority. There-  
fore the friends of Mr. Wilkes will have to work  
hard to secure his election. One thing, how-  
ever, must be said in favor of Mr. Wilkes—that  
the triumphant vindication of his personal  
character in the recent libel suit against the  
editors of the *Turf, Field and Farm* places  
him in a deservedly worthy position before  
the people of his district. This peaceful contest  
between two champions of the quill is a far  
more pleasant spectacle than shooting blunder-  
busses at each other, or than being obliged to  
carry on suits at law to sustain one's char-  
acter against unjust imputations.

JOHNIE GREEN says he is certain of carry-  
ing his district for the Assembly against the  
nephew of that extensive corporation, the  
Big Judge—unless—here comes the bother—  
unless he is "counted out." "You know how  
it is yourself, Captain."

THE DANISH WEST INDIA ISLANDS stand  
a very fair chance of being brought  
into closer communion with each other  
than at any time in their past history.  
The rejection of the cession of St. Thomas  
and St. John by the United States has in  
a measure produced that result. The people  
of those islands have become alive to the  
necessity of reforms and the good to be effected  
by retributions—a wise resolve on their  
part, and one which will produce good results.  
Submarine telegraph cables will be laid and  
steam communication between the islands will  
be established. We wish the people of the  
Danish West Indies a sincere God speed in the  
carrying out of their plans.

The Italian Proposition to the Pope.

Our special correspondent at Rome sends to  
us, under date of November 1, the proposi-  
tion in detail which the Italian government  
makes to the Papal See in view of the change  
wrought in its relations to the Church by the  
abolition of the temporal power. It will be  
seen that the spiritual jurisdiction of his Hol-  
iness will be by no means lessened, but rather  
fortified and increased, by his acceptance of  
the terms proposed. These are, in brief, that  
the Pope shall continue to enjoy all the honors  
and attributes of sovereignty; that all prelates,  
bishops and functionaries of ecclesiastical  
orders shall enjoy entire immunity from civil  
authority at the place of residence of the head  
of the Church; that special postal and tele-  
graphic facilities will be placed wholly at the  
disposal of the Papal court; that representa-  
tives of foreign Powers will have the same  
privileges as at other sovereign courts, and  
that, in fact, the Pope shall be considered and  
treated as a sovereign for whose expenditures  
Italy shall make a liberal provision, and whose  
debts already incurred Italy shall assume and  
pay.

This proposition would appear to contain all  
the principles of a fair and equitable adjust-  
ment of the delicate and difficult question  
which the abolition of the Pope's temporal  
power has evoked; but it is by no means  
likely that it will satisfy the Holy Father or  
his counsellors. Victor Emmanuel expresses  
his desire to prove to Europe that Italy  
respects the sovereignty of the Pope, while at  
the same time it conforms to the modern  
principle of a free Church in a free State; but  
it is exactly that principle which the Pope  
refuses to sanction, and which is rather classed  
among the errors of modern society. It will  
be seen by the protest of Cardinal Antonelli,  
which we also print in connection with our  
special despatch from Rome, that his Holiness  
remonstrates in the most indignant terms  
against the sacrilegious spoliation of his  
dominions, and declares the Italian King and  
government responsible for all the mischiefs  
that have resulted or may result from such  
violent spoliation. It is not likely that his  
pious wrath can be turned aside and assuaged  
by such terms as Victor Emmanuel now offers,  
although our correspondent intimates that he  
accepts the situation.

In the meantime, Austria has notified the  
Italian government that she will not interfere  
in the Roman question, and suggests that a  
conference of the Powers be asked to adjust  
the guarantees to be offered to the Pope. That,  
we presume, will be the form which the matter  
will eventually take, and we doubt not that  
the result will be to the advantage of the  
Church and to the greater glory of God.

The Trap Gun Case.

The Recorder's decision has put this case in  
its proper light. In ignoring the verdict of  
the coroner's jury which censured Mr. Agos-  
tino, and in thereby releasing that gen-  
tleman from custody, Recorder Hackett  
pronounced the law in the case, which,  
we presume, every sensible citizen will  
admit to be correct, to be that a man has  
a right to protect his property against felonious  
attacks, whether he defends it by the use of a  
gun in his own hands if he happens to be on  
the premises when the burglar attempts to  
force an entrance, or whether he places an in-  
strument of destruction in such a manner  
that it shall act, in his absence, as a guardian  
to his premises. The facts in this case show  
that this latter was the mode adopted. That  
it produced a fatal effect is, as the Recorder  
very properly says, the result of the bur-  
glar's felonious act. He meant to rob the  
gunsmith's shop—that is evident; but he  
met his death in the felonious intent. The  
Recorder's judgment, therefore, must be  
sustained. It is wise and just. It is only to  
be regretted that more such traps are not laid  
for burglars. There is nothing so terrifying to  
a cowardly criminal—and all burglars are  
cowards—as a mysterious and unseen dan-  
ger. The circumstance of the sudden death  
of this burglar will probably have more  
effect in deterring that dangerous fraternity  
from the practice of their profession than all  
the vigilance of the police.

THE COMPTROLLERSHIP QUESTION.—MR.  
O'CONNOR'S LEGAL OPINION.—A question hav-  
ing arisen as to whether there is to be a  
vacancy in the office of Comptroller of the  
city of New York which should be provided  
for at the election next Tuesday, the opinion  
of Mr. Charles O'Connor was sought, and has  
been given in a very exhaustive and elaborate  
document. The opinion, though terse and  
clear, as all Mr. O'Connor's arguments are, is  
of too technical a character to interest the  
general reader, and therefore we do not pub-  
lish it; but the result arrived at is that Mr.  
Connolly, the present occupant of the office, is  
entitled to hold it for four years from the 1st  
of January, 1871, the date of his appointment;  
that there is not even color for drawing his  
right in question, and that consequently the  
office cannot be voted for at the approaching  
election.

THE REVOLUTION IN URUGUAY is not yet  
ended. By the latest reports it was progress-  
ing, and the rebel leaders were more defiant  
than ever on account of the successes which  
they had met with. It is most unhappy that  
the people of those little States in South  
America cannot live quietly and contentedly  
and avoid those disastrous conflicts which so  
often occur. Every revolution retards the  
progress of republican institutions in South  
America. If Uruguay is not very careful she  
may meet with the same fate as Paraguay—be  
taken under the protection of Brazil, and  
what that means it is hardly necessary to  
explain.

A GOOD SIGN.—The personal vituperation  
that marked the outset of the gubernatorial  
campaign in this State has, we are glad to see,  
almost entirely subsided, and everything, to  
the exterior view, at least, seems to be con-  
ducted in a high-toned and gentlemanly way.  
This is a good sign, and speaks well for the  
naturally amiable and urbane qualities of both  
candidates for the chief office in the State.

AND NOW we have two more reverends  
participating in the Fulton-Tilton schism.  
They back Fulton. Cannot a respectable  
preacher take his quiet glass of lager beer  
without constraining the press of the country  
and the telegraph, and even the pulpit, to  
advertising him?

Republican or Cossack?—The Attitude of  
Russia.

Our despatches from Europe again mention  
the great diplomatic and military activity of  
the Russian government. Early last spring,  
ere there was a sign of trouble directly between  
France and Prussia, we repeatedly called  
attention to the manoeuvres of armies going on  
throughout the latter kingdom, and that, too,  
while the remainder of the press, British and  
American, seemed to ignore them. We now  
remark the very peculiar attitude of Russia,  
and find in it growing symptoms of a far wider  
catastrophe than has already taken Europe by  
surprise.

The well known Russian organ *Le Nord*  
has distinctly intimated that the equilibrium  
of the Continent, endangered by the culpable  
ambition of one Power and by the blind  
obstinacy of another, must be secured by  
the intervention of a State sufficiently strong to  
make itself respected by both parties, and yet  
not liable to be suspected of sympathy for the  
passions or the projects of one or the other.  
This is plain and pointed talk, and, to back it,  
we hear of the Czar concentrating nearly five  
hundred thousand of his best drilled troops  
toward his western frontiers and summoning  
his terrible Cossack riders to the field. Com-  
mon sense tells us that this muster is not made  
for the protection of his Prussian neighbor,  
since the utmost that France could hope to do,  
for the present, would be to raise the siege of  
Paris. It is not to shield Russia itself from  
Prussian invasion, since the Northern winter,  
which no foreign foe would dare to brave, is  
at the door, and, moreover, Prussia has not  
completed the heavy task that she is unwisely  
engaging in France. The political wisdom of  
Prussia, disguise it as she may attempt to do,  
has been alarmed, and a rumor came weeks  
ago from Berlin that in order to secure the  
Czar's consent to the dismemberment of  
France she was willing to give that potentate  
the two duchies of Mecklenburg, and to com-  
pensate the ruler of these minor prin-  
cipalities by forming the conquered provinces  
of Alsace and Lorraine into one grand duchy  
under his immediate control, as governor or  
viceroy. But there is another solution to all  
this imbroglio, and it is comparatively close at  
hand. The secret of that solution will be  
found in the memorable words of the Great  
Napoleon, which we do freely in English  
from the exact text of his Memorial, written at  
St. Helena:—

"Ere fifty years shall have passed," said the  
imperial political soothsayer, "France will be  
republican or Cossack. Then, if my son be  
alive, he will be called to the throne amid the  
acclamations of the people. If he be no more  
France will again become republican, since no  
other hand would dare to grasp the sceptre  
that he could not uphold.

"The Orleans branch, although acceptable,  
is too feeble; it partakes too much of the other  
Bourbons and it will meet with the same fate,  
should its members not prefer to live the life  
of simple citizens, no matter what changes  
may intervene. Once again France will be  
republican, and the other countries will follow  
her